

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

HEADWATER RESEARCH LLC,

*Plaintiff and Counterclaim-Defendant,*

v.

Cellco Partnership d/b/a Verizon Wireless *et al*,

*Defendants and Counterclaimant-Plaintiffs.*

Case No. 2:25-cv-00391-JRG-RSP

(Lead Case)

HEADWATER RESEARCH LLC,

*Plaintiff and Counterclaim-Defendant,*

v.

T-MOBILE USA, INC *et al*,

*Defendants and Counterclaimant-Plaintiffs.*

Case No. 2:25-cv-00359-JRG-RSP

(Member Case)

HEADWATER RESEARCH LLC,

*Plaintiff and Counterclaim-Defendant,*

v.

AT&T SERVICES, INC. *et al*

*Defendants and Counterclaimant-Plaintiffs.*

Case No. 2:25-cv-00428-JRG-RSP

(Member Case)

**HEADWATER’S ANSWER TO AT&T’S COUNTERCLAIMS**

Plaintiff and Counterclaim-Defendant Headwater Research LLC (“Headwater”) hereby answers Defendants and Counterclaimant-Plaintiffs’ AT&T Services, Inc., AT&T Mobility, LLC, and AT&T Enterprises, LLC, (collectively “AT&T” or “Defendants” or “Counterclaimants”),

counterclaims as follows:

**THE PARTIES**

1. Headwater does not have knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1 and on that basis: denied.

2. Headwater does not have knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 2 and on that basis: denied.

3. Headwater does not have knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 3 and on that basis: denied.

4. Admitted.

**JURISDICTION AND VENUE**

5. Admitted.

6. Admitted.

7. Admitted.

8. Headwater admits that it has sued AT&T for infringement of the Asserted Patents and that there is a substantial, actual, and continuing controversy between Headwater and AT&T as to the infringement of the asserted patents. Headwater denies the remaining allegations of paragraph 8.

**First Counterclaim**  
**(Declaratory Judgment of Invalidity or Ineligibility of the '425 Patent)**

9. Headwater incorporates the preceding paragraphs by reference, as though fully set forth herein.

10. Denied.

11. Denied.

**Second Counterclaim**

**(Declaratory Judgment of Invalidity or Ineligibility of the '102 Patent)**

12. Headwater incorporates the preceding paragraphs by reference, as though fully set forth herein.

13. Denied.

14. Denied.

**Third Counterclaim**

**(Declaratory Judgment of Invalidity or Ineligibility of the '451 Patent)**

15. Headwater incorporates the preceding paragraphs by reference, as though fully set forth herein.

16. Denied.

17. Denied.

**JURY DEMAND**

18. Headwater, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

**EXCEPTIONAL CASE**

19. Denied.

**PRAYER FOR RELIEF**

In response to AT&T's prayer for relief, Headwater denies that AT&T is entitled to any relief, including any of the relief requested in paragraphs A–D of AT&T's prayer for relief. Further, Headwater requests the following relief:

WHEREFORE, Headwater respectfully requests that this Court enter:

a. A judgment in favor of Headwater that AT&T has infringed, either directly or indirectly, literally, under the doctrine of equivalents, or otherwise, the Asserted Patents;

b. A permanent injunction prohibiting AT&T from further acts of infringement of the

Asserted Patents;

c. A judgment and order requiring AT&T to pay Headwater its damages, enhanced damages, costs, expenses, and pre-judgment and post-judgment interest for AT&T's infringement of the Asserted Patents;

d. A judgment and order requiring AT&T to provide accountings and to pay supplemental damages to Headwater, including without limitation, pre-judgment and post-judgment interest;

e. A judgment and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285 and awarding to Headwater its reasonable attorneys' fees against AT&T; and

f. Any and all other relief as the Court may deem appropriate and just under the circumstances.

Dated: July 25, 2025

Respectfully submitted,

/s/ Marc Fenster

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**ATTORNEYS FOR PLAINTIFF AND  
COUNTERCLAIM-DEFENDANT,  
Headwater Research LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served on July 25, 2025 with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Marc Fenster

Marc Fenster